



State of Wisconsin
1997 - 1998 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 3,
TO 1997 ASSEMBLY BILL 308**

April 28, 1998 – Offered by Representative HUEBSCH.

1 **AN ACT** *to amend* 895.52 (1) (g) and 895.525 (2); and *to create* 895.527 of the
2 statutes; **relating to:** sport shooting range immunity and responsibilities.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 895.52 (1) (g) of the statutes is amended to read:

4 895.52 (1) (g) “Recreational activity” means any outdoor activity undertaken
5 for the purpose of exercise, relaxation or pleasure, including practice or instruction
6 in any such activity. “Recreational activity” includes, ~~but is not limited to,~~ hunting,
7 fishing, trapping, camping, picnicking, exploring caves, nature study, bicycling,
8 horseback riding, bird-watching, motorcycling, operating an all-terrain vehicle,
9 ballooning, hang gliding, hiking, tobogganing, sledding, sleigh riding,
10 snowmobiling, skiing, skating, water sports, sight-seeing, rock-climbing, cutting or
11 removing wood, climbing observation towers, animal training, harvesting the

1 products of nature, shooting and any other outdoor sport, game or educational
2 activity, ~~but~~. “Recreational activity” does not include any organized team sport
3 activity sponsored by the owner of the property on which the activity takes place.

4 **SECTION 2.** 895.525 (2) of the statutes is amended to read:

5 895.525 (2) DEFINITION. In this section, “recreational activity” means any
6 activity undertaken for the purpose of exercise, relaxation or pleasure, including
7 practice or instruction in any such activity. “Recreational activity” includes, ~~but is~~
8 ~~not limited to~~, hunting, fishing, trapping, camping, bowling, billiards, picnicking,
9 exploring caves, nature study, dancing, bicycling, horseback riding,
10 horseshoe-pitching, bird-watching, motorcycling, operating an all-terrain vehicle,
11 ballooning, curling, throwing darts, hang gliding, hiking, tobogganing, sledding,
12 sleigh riding, snowmobiling, skiing, skating, participation in water sports, weight
13 and fitness training, sight-seeing, rock-climbing, cutting or removing wood,
14 climbing observation towers, animal training, harvesting the products of nature,
15 shooting and any other sport, game or educational activity.

16 **SECTION 3.** 895.527 of the statutes is created to read:

17 **895.527 Sport shooting range activities. (1)** In this section, “sport shooting
18 range” means an area designed and operated for the use and discharge of firearms.

19 **(2)** A person who owns or operates a sport shooting range is immune from civil
20 liability related to noise resulting from the operation of the sport shooting range.

21 **(3)** A person who owns or operates a sport shooting range is not subject to an
22 action for nuisance related to noise and no court may enjoin or restrain the operation
23 or use of a sport shooting range on the basis of noise.

24 **(4)** Any sport shooting range that exists on the effective date of this subsection
25 [revisor inserts date], may continue to operate as a sport shooting range at that

1 location notwithstanding any zoning ordinance enacted under s. 59.69, 60.61, 60.62,
2 61.35 or 62.23 (7), if the sport shooting range is a lawful use or a legal nonconforming
3 use under any zoning ordinance enacted under s. 59.69, 60.61, 60.62, 61.35 or 62.23
4 (7) that is in effect on the effective date of this subsection [revisor inserts date].

5 (5) Any sport shooting range that exists on the effective date of this subsection
6 [revisor inserts date], may continue to operate as a sport shooting range at that
7 location notwithstanding all of the following:

8 (a) Section 167.30, 941.20 (1) (d) or 948.605 or any rule promulgated under
9 those sections regulating or prohibiting the discharge of firearms.

10 (b) Section 66.092 (3) (b) or any ordinance or resolution.

11 (END)